



Haverhill

Board of Appeals
4 Summer Street – Room #201
Haverhill, MA 01830
Phone: 978-374-2330 Fax: 978-374-2315
jdewey@cityofhaverhill.com

The regular meeting of the Haverhill Board of Appeals was held on Wednesday evening, May 17, 2023 at 7:00 P.M.

Those Present:

Chairman George Moriarty
Member Ron LaPlume
Member Louise Bevilacqua
Member Kassie Infante
Member Lynda Brown
Assoc Member Magdiel Matias
Assoc Member Gary Ortiz

Also, Present: Jill Dewey, Board Secretary
Tom Bridgewater, Building Commissioner

Lawrence and Catherine Hicks for 230 Amesbury Rd (Map 465, Block 4, Lot 1)

Applicant seeks a special permit for the construction of a self-storage facility in a CH zone. (BOA 23-11)

Attorney Michael Migliori: Last week based on some correspondence from Mr. Moore, today as well some late arriving correspondence from the city engineer, I am requesting a one month continuance in order to address the questions and issues raised.

Chairman: Clearly you have some opposition here. You have your work cut out for you.

Attorney Migliori: We do.

Jill Dewey (Board Clerk): The BOA meetings is always the third Wednesday of the month, so it will be June 21st. You will not get another notice in the mail, so you will just have to put it on your calendar, same time same place on the 21st and you will all have a chance to speak that night.

Chairman: Entertain a motion to accept the continuance.

Member LaPlume: I make a motion to continue the application for 230 Amesbury Road, 2nd by member Brown

Member LaPlume: Yes

Member Brown: Yes

Member Infante: Yes

Member Bevilacqua: Yes

Chairman: Yes. The continuance is granted

Matthew and Kristen Hauck for 32 Trumbull Avenue (Map 552, Block 1, Lot 150)

Applicant seeks a dimensional variance for front setback (16.3 ft where 25 ft is required) to construct a two-story addition (two car garage with master suite above) onto a single-family dwelling in a RM zone.



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(BOA 23-15)

Chris Crump (CWC Designs, Newburyport): My clients property at 32 Trumbull Avenue, its currently a 3 bedroom 2.5 bath, single family cape style, it sits on a corner lot, a pre-existing corner lot. The site is in a residential medium density zone and requires a minimum of 20,000 square feet lot area, where only 10,159 sf is existing, it also requires a minimum of 150,000 frontage, where 108,000 is existing and requires a side set back of 19, where on one side there is an easting (word cut out), at one point the house was approved for an in-law apartment from the city, they transferred the title to the current owners in 20117 the rights to the in-law apartment were vacated. The current owner Matt & Kristen want to put an addition, consistent of a mud room, a two car garage on the first floor, with a new master suite above, house sits on a corner lot where they have by code 2 front setbacks, in order to fit the new4 addition on the property, the owners are requesting a dimensional variance from the second front yard setback along Warrington Rd, the front yard setback requirements are 25 feet the variance will require the second front yard setback to be reduced from 25 feet to 16.3 feet which is 8 feet difference, in doing so the new second front setback would be conforming to a typical side yard setback in this zone and if not a corner lot. Also the properties in this neighborhood are not conforming in size and the frontage setbacks the proposed addition is a standard size for a typical 2 car garage, and is orientated in a way and the only way where it would be the least nonconforming to the existing structure. We feel that this addition would be in harmony and scale with curb appeal with the rest of the neighborhood and therefor would not be ore detrimental to the area.

Chairman: The unique conditions you would be sighting is the fact that it is a corner lot

Chris Crump: Yes and it has two front yard setbacks due to that.

Chairman: Questions from the board? I'll entertain a motion.

Member LaPlume: I make a motion to accept the application for 32 Trumbell Avenue, 2nd by Member Brown.

Member LaPlume: Yes unique conditions with two front setbacks, corner lot, and the shape of the lot, it meets the criteria for 255-10.2.2(2)

Member Brown: Yes

Member Infante: Yes chapter 40A section

Member Bevilacqua: Yes it meets the criteria for 255-10.2.2(2)

Chairman: Yes it meets the criteria for 255-10.2.2(2) and the fact that the unique conditions of this corner lot
Granted 5-0

Justin Limoli and Kimberly Limoli for 118 Riverdale Ave (Map 764, Block 1, Lot 4A-6)

Applicant seeks a dimensional variance for rear setback (14.02 ft where 30 ft is required) to construct a single-story addition onto the rear of a single-family dwelling in a RH zone. Existing rear deck to be removed. (BOA 23-9)

Justin Limoli (118 Riverdale, Haverhill): The request is for a 14 foot variance setback where 30 ft is currently required, we are surrounded by conservation land on our lot. We are looking to construct a single-story addition on our rear part of the house, currently there is an existing deck there. My wife and I purchased the house three years ago and with our growing family, we have a six month old and based on the layout of the house, we need some more first floor space, so that is



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pretty much our intention. We understand that we are surrounded by conservation land and that there is additional permitting that we have to go through and intend to do that fully.

Chairman: Is the fact that its conservation, preventing you from meeting the 30 foot setback

Justin: Yeah, so basically the back of our house is at the 30 foot mark, we are looking to go further back from the house. The proposed addition is the most sensible spot, on the back left corner.

Tom Bridgewater: There is an easement right here, so you can't go off to the side

Justin: Exactly.

Chairman: Questions or comments from the board. Entertain a motion

Member LaPlume: I make a motion to accept the application for 118 Riverdale, 2nd by Member Brown

Member LaPlume: Yes unique conditions with the site shape and 25 it meets the criteria for variance 255-10.2.2(2)

Member Brown: Yes

Member Infante: Yes meets criteria for 255.10.2.2(2)

Member Bevilacqua: Yes it meets the criteria for 255-10.2.2(2)

Chairman: Yes it meets the criteria for 255-10.2.2(2) and also noting the presence of conservation area that sets the size restrictions

Scott Smith for 8 Arch Ave (Map 515, Block 299, Lot 8)

Applicant seeks dimensional variances for the construction of a second dwelling unit to be attached to existing single-family dwelling in a RU zone. Requested relief include variances for lot area (6,096 sf where 9,000 sf is required), rear setback (11.57 ft where 30 ft is required), and building coverage (34.3% where 25% is maximum). (BOA 23-10)

Attorney Michael Migliori: The owner has owned the property for approximately seven years now and prior to his ownership, there was another home on the property, which was subject to a fire and ultimately removed as a result to that. The applicant wants to build an additional residential unit on the property, creating a 2-family, which is an allowed use in the RU zone, this would provide additional residential property on a underutilized lot providing some badly needed housing in our inner city, I know its only one unit, but it would help the needs of one family, and the property as you can see from what's up on the screen now which is in a neighborhood that contains many multi-unit residential properties, 3 Arch Street is a two-family, 5 Arch Street is a 3-family, 9 Arch Street is a 3-family, 13 is a 2-family, 19 Arch Street is a 6-unit, 21 Arch is a 3-family, 38 Arch Street which abuts the property is a 2-family, 12 Arch Ave which directly abuts is also a 2-family, there are o single family homes in this neighborhood, this neighborhood is literally the only single-family home in the neighborhood. In light of the requested use as you can see from the plan, the applicant does require some dimensional variances for the lot, the building will require a variance for a rear lot setback of zero where 30 fee is required, and again most of these variances have to do with the existing home, because it is nonconforming, as you can see it sits on the rear lot line, so we have to include those variances, so the rear lot on that is zero where 30 feet is required, lot width is 92.7 where 100 feet is required for a variance for 6,096 sf where 9,000 sf is required, side yard of less than a foot where 10 feet



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is required and a variance for building coverage 34.3% where 25% is maximum. Again with respect for the variances, the fact that most of them are as a result of the existing property, we feel that the others are minimal and will have no adverse impacts, the existing building as I said is responsible for most of those variances, there will be no expansion of nonconformity which currently exists on the property and has existed for many years, the plan presented indicates the parcel is uniquely shaped and has a number of angles to it, it is our opinion the variance requested is a reasonable use of the property, it has been in the past used as a 2-family and its certainly a reasonable use due to the general neighborhood, it being currently the only single family, the site is large enough to provide the recommended parking. Strict application of the provisions of chapter would deprive the applicant of a reasonable use of the property. None of the conditions and circumstances that exist were created by the owner. Again although it is only one new residential structure, it will at least help one family looking for housing, the city needs a significant increase in its housing stock. We believe the variance are appropriate and would result in a beneficiary impact and with that I am here for any questions.

Chairman: You mentioned a couple of times about that a lot of the variances are because of the existing house, can you explain that a little further.

Attorney Migliori: The existing house on the plan as you can see, its on the left side it is 1.5 story wooden frame one unit building A, so you can see that it actually sits on the rear lot line, just about sits on the side lot line, and contributes to those variances. These setbacks for the proposed meet front, side and rear setbacks, the lot size there is nothing we can do about it is what it is, with being a little bit under size, that runs with the existing home along with the proposed.

Chairman: And the zero setback you had?

Attorney Migliori: The zero setback is the existing home, the zero setback and the less than foot side lot of with the existing home. As you can see on the right the proposed two story meets setbacks.

Tom Bridgewater: I think that you don't need relief for the existing house, that's pre-existing nonconforming, you only need relief for the new house. The zoning lets you add onto a pre-existing nonconforming house if you can meet the setbacks.

Attorney Migliori: In the past we always brought it to the board's attention anyway.

Tom B: You said the rear setback meets the requirements in your speech, you have 11.5 where 30 is required

Attorney Migliori: Yes. But I didn't realize that in the past when you had pre-existing nonconformities

Tom: You just mention it, you don't

Attorney: OK. So some of the variances are not even required

Chairman: But the 11.57 is on the proposed rear setback where it should be 30

Attorney: Yes



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Chairman: Ok great, thank you. Other questions or comments?

Member LaPlume: The existing home that is there right now, I am under the impression there was extensive demo work in the house done without a permit.

Tom: No

Attorney: No

Chairman: Other questions or comments from the board?

Member Brown: Did you say the existing is one story

Attorney: No 1.52, the existing is one and a half

Member Brown: But the family, its just one family.

Attorney: Yes and its small.

Chairman: Any other comments or questions. Entertain a motion

Member LaPlume: I make a motion to accept the application for 8 Arch Ave, 2nd by Member Brown

Member LaPlume: Yes unique conditions with the site shape it meets the criteria for variance 255-10.2.2(2)

Member Brown: Yes it meets the criteria for variance 255-10.2.2(2)

Member Infante: Yes meets criteria for 255.10.2.2(2)

Member Bevilacqua: Yes it meets the criteria for 255-10.2.2(2)

Chairman: Yes it meets the criteria for 255-10.2.2(2) and also notes the lot size and the shape of the lot and the various angles provide unique conditions for the condition for the nonconforming existing home also impacts the way that the property can be situated. Thank you, it is granted.

MATIAS CAPITAL, LLC for 71 Portland Street (Map 609, Block, 488, Lot 12)

Prior to applying to City Council for a Special Permit to increase an existing 12-unit multifamily building to a 16 unit multifamily building in a CC zone, Applicant seeks the following dimensional variances. Requested relief include variances for lot area (11,155 S.F. where 17,000 S.F. are required) and parking (13 spaces where 16 spaces are required). All units will be one bedroom. (BOA 23-12)

Chairman: We have tow members who will not be sitting for this, member Matias and member LaPlume, they will be leaving the room.

Attorney Robert Harb (40 Kenoza Avenue, Haverhill): I am going to submit to your clerk a petition signed by over 10 of the neighbors in the area in favor of this petition. With me is Mr. Matias, I am going to refer to my brief, which I reference in



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record. Mr. Matias bought this property a few years ago, you can see from the pictures that he has fixed the outside and now he wants to go in and fix the inside. He has taken out a permit or an application or a permit to do over a half a million dollars' worth of renovations. The building currently has a alarm system, but not a sprinkler system, so part of his redevelopment will be a sprinkler system in addition to the alarm system, we are going to be improving the safety for all the neighbors there. What we have here is an existing building, which the record indicate was built prior to 1900, that has a hardship based on the lot size, we can't increase the lot size, there is no one around us that can sell us any land, the lot behind us is the mall there and to the left and right of us are buildings, I am short some area but I have an existing building, since 1900. It has what I believe, at least when I looked it up, it has a manside type roof, which came into France many years ago, I used to be able to tell you the whole history with manside roofs, but if you look at the picture there is this top like attic we'll call it, but it is a special roof. So what he really wants to do is convert that manside roof into four areas for 2 on each side, this is a real big peculiar building if you look at it, it is almost like two buildings pushed together, there is a building on the left and building on the right and they each have their own entrance and the units are divided up equally between each building, so what he wants to do, is put two units on top of one structure and two units onto of the other structure, which is essentially in the attic. What we are missing to do that is area, and like I said we can't get anymore area, that lot has probably been in that shape for hundreds of years, and I am missing some parking, I am only really missing like 3 parking with the existing parking design. Mr. Matias tells me that out of all the tenants he has, that probably only half of them have cars, they are on-bedroom units, the entire building will be one-bedroom units. So he is asking for relief for area, that he can't get anymore, and 3 parking spaces, which covers a little bit short of what zoning requires, but as I mentioned in my brief around that area no one has parking, that street is well occupied by buildings, they have that new structure on the corner of Portland and White, which has all those units with no parking, I have been advised but I haven't seen it in writing that my classmate bought Pigeons lot and is being built, and they are not going to have any parking there either, so it is not unusual. We have 13 parking spaces, I am just missing 3. With his track history with his tenants in a one-bedroom unit, they don't all have cars, so I don't think we will have cars on the street. None of the neighbors who signed the petition in favor of this have any issues with it. Everything else as the building commissioner has mentioned is pre-existing nonconformities that we didn't need variances for. So he would like to develop the property and as you have heard from Attorney Migliori and you read the paper, we need housing in Haverhill, he is running a good facility, he doesn't have any trouble with his tenants, he would like to be able to put 4 more people into one-bedroom units on filling in that manside area. We have a hardship for the existing building, we have a hardship with that we can't get anymore land, if I could get more land I wouldn't need a variance for square footage and we wouldn't need the variance for parking. We are basically taking up all the parking spaces we can, if you read the comments from most of the city departments, nobody has opposition to this. This is simply the first step in a 2-step process or maybe 3, because we have to go to city council for a special permit to increase, you have the authority as you may know to increase up to six units in an existing building, but this is more than 6, so if we get your approval we have to go to city council and get their approval and then we go to developmental review, and then the engineer says he will look at it and then we will deal with water and sewer and all of that. We are asking for your favorable position on this petition, we believe we have met all the requirements of the states zoning ordinance for variances under section 10 and out section 10.2.2 of our code here. As I said this is not going to be a detriment to the neighborhood, we have done everything we can, we want to make this building better and he is willing to invest him money into the building, and this area could use more housing, and bring up the quality and safety for all the tenants in the building, this is already an existing multi-family dwelling. The building according to the accessors predates 1900, so we would ask for your permission, I don't think it is a long stretch and it will bring that needed housing to the city. We are here to ask any questions you have.



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Chairman: Thank you. You said they are investing about \$500,000 into it, is that mostly into the upper attic floor?

Attorney Harb: It is throughout the whole building. There is two sides to the building and he has to redo all the apartments

Chairman: Are people still living in the apartments?

Attorney Harb: Some of the apartments are vacant and some are occupied, I believe as he goes along he can move them from one to another.

Chairman: I think I do count the 9 spaces, you have nine in the back and two on the one side and then two more on the other side. Is that correct?

Attorney Harb: Yes

Chairman: Any questions from the board?

Member Brown: Do you know in the winter time if there are any problems, you said there aren't a lot of people who park or have cars.

Attorney Harb: I can ask Mr. Matias. But previously my cousin owned this building and sold it to Mr. Matias and my cousin has never advised me that he's had any problem with his tenants or parking or anything. Mr. Matias, have you had any problems, would you like to come up and tell them about any complaints from anybody about parking. If you recall I said half of his people don't have cars.

Many Matias (14 Silvermine Road): Since I have owned the building, I have never had an issue with snow or parking. Actually when I purchased the building from my attorney's cousin, the back of that building was not in use, so we were able to open up the right side of the building, the top side of that building to allow some of the people to actually park, so we have tried our best to ease any parking issues that they may have had before, but no one has ever voiced a concern regarding parking since I have had ownership of building.

Chairman: Great thank you. Other questions or comments?

Member Brown: I would like to make a motion to accept the application of 71 Portland Street, 2nd Bevilacqua

Member Brown: Yes meets criteria for 255.10.2.2(2)

Member Infante: Yes meets criteria for 255.10.2.2(2)

Member Bevilacqua: Yes it meets the criteria for 255-10.2.2(2)

Member Ortiz: Yes

Chairman: Yes it meets the criteria for 255-10.2.2(2) and the unique condition is the size of the lot that can not be changed, and the parking seems to be sufficient do to the lack of cars by the tenants.



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JARED FISH for 8 vine Street (Map 180, Block 15, Lot 12)

Prior to applying to City Council for a Special Permit for the construction of a six (6) unit multifamily dwelling in CC zone, Applicant seeks the following variances. Requested relief include variances for lot frontage (60 ft where 100 ft is required), lot width (60 ft where 75 ft is required), and parking design (with two-way entrance of 20 ft where 24 ft is required). (BOA 23-13)

Attorney Robert Harb (40 Kenoza Avenue, Haverhill): I am representing the applicant who is here tonight and also architect Mr. Matt Carlson. This is a unique situation, I took that picture of the vacant lot, now I took that picture because there was a structure there but it burned down, Mr. Fish waited too long, otherwise he could have gone back and rebuilt it, but he exceeded the statutory time so we need to refile and again like the last petition I spoke on, this is the first step, it has to go to city council for permission, to rebuild this structure. The reason I took that picture is one you know that property is vacant and on the left hand side you will see a driveway and an opening, a curb cut on the picture that I submitted, why is that important, because we don't technically need the parking design standards in the code that says you need so many feet on and in and out, he didn't have that many feet before the fire and when we went to predevelopment review twice with the city departments, they looked at me and said why do you need 24 feet, I said I don't know I am just reading a book and it says 24 feet, they said we don't think you need that, so we had the support of the department heads and engineering and everybody, this is sufficient to get in and out, so that is one of the variances we are asking for, not much, give us a variance for the parking design, it is not so much the space, the spaces on the design meet code, but the entrance doesn't, but it worked before, and we think it can work again and so do the city departments. The other thing we need is, you'll notice setbacks because we don't have a building and if we could build it in accordance with the setbacks would be great, but we have a pre-existing building with a pre-existing frontage, a lot that doesn't meet minimum width, it doesn't meet other things, but they are pre-existing, we gave you a couple of plans, some of them may have been hard to see, but originally the building we proposed was further to the right of the lot, closer to the structure to our right, so in development review the board asked us if we could move the structure more to the left, because to our left is just a parking lot. You will see there is a parking lot to my left, so we did that, so our proposed plan moves the structure a little bit to the left and then that leaves us into why do we need setback variances, when the lot is not that wide, and someone may say why didn't you build the house that used to be there, I gave you a picture of the house that used to be there that burned down and you can't build a house like that now, that is from the 1800's and it would be nice, but nobody builds them like that now. So I think Mr. Carlson and Mr. Fish have come up with a nice plan, that as best they can meets the area, meets what the other houses in the area look like, it doesn't stick out strange, and they redesigned that plan of the house numerous times, we do have the required parking spaces, we do have places for the dumpster, again we have to go to city council after, it was a multifamily dwelling before. This building will be a great asset to the neighborhood instead of just an empty lot being there and I think it is similar to other lots that are multifamily, other lots don't meet all the zoning requirements for entrances and exits, this would enable him to put back a multifamily house where one existed, and we won't just have an empty vacant lot. Because of the fire and the fact that he didn't burn right away, we are back again, so we need to ask for some of these variances, some are pre-existing non-conforming, but we do need to ask for the variances. I would like MR. Carlson to mention to you a little bit about how he designed the building where we moved it and if you have any questions about the design of the building, the outside, we gave you all those plans we uploaded them.



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Matt Carlson (364 Kenoza Avenue): I think Bob summed it up pretty nicely so far but ultimately the idea was to design something that fits well in the neighborhood. Like he mentioned we went through a couple of litigations and scaled things back in order to help fit the fabric of this neighborhood a little bit better, again ultimately meet as many of the zoning codes as we possibly can. Some of the goals we also wanted to hit were at the very least making these two ground units accessible, you you'll be able to access from the ground level both of those ground floor units, they will be ADA accessible. Again working with the predevelopment review to shift the building over and we still have increase setbacks from that existing structure, so we feel that we have done a pretty good job.

Chairman: Is this picture just a sample?

Matt Carlson: That is the building as it stands.

Chairman: That is the actual building

Matt: Yes. Not in its ultimate final stage, but it's the design as it currently sits.

Chairman: 6 un its.

Matt: Yes

Member LaPlume: I understand this is going to be sprinkled.

Matt: Yes that is correct.

Chairman: Other comments or questions. Anything else Bob?

Attorney Harb: No I just want to reiterate that the frontage waiver we need is because the lot is pre-existing and we can't buy any land around, it is just a pre-existing lot, if we hadn't had a structure on it and it was vacant it would meet the code requirements for no variance needed for square feet 50 feet frontage, but because we had a structure on it, it wipes out that grandfather, which is why we are here. So we just need frontage and width which is really pre-existing, the setbacks because of where we had to put the building as requested by the department heads, and that parking design which they also were in favor of, were 20 feet instead of 24, so I think we have a hardship, we would like to fill this vacant lot and create a brand new building, and I think it will help the neighborhood and I know that Winter and Vine are busy streets, it is going to look good there behind the Shanahans ambulance service, to have a brand new building there, I ask your approval of the petition.

Chairman: Any other comments or questions? Entertain a motion



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Member LaPlume: I make a motion to accept the application for 8 Vine Street, 2nd by member Brown

Member LaPlume: Yes it has a hardship the unique shape of the lot, it meets the criteria for variance 255-10.2.2(2)

Member Brown: Yes it meets the criteria for variance 255-10.2.2(2)

Member Infante: I think it is a beautiful building, it will certainly add to the neighborhood, so I also vote yes, meets criteria for 255.10.2.2(2)

Member Bevilacqua: Yes it meets the criteria for 255-10.2.2(2)

Chairman: Yes it meets the criteria for 255-10.2.2(2) and the variance is really a result of the previous nonconforming building, and I appreciate that you took the guidance of the departments.

Essex County Habitat for Humanity for 0 Curtis Street (Map 515, Block 298 + 297, Lots 1 + 2)

Applicant seeks dimensional variances for the construction of a duplex in a RU zone. Requested relief include variances for lot frontage (41.2 ft where 80 ft is required), rear setback (15.5 ft where 30 ft is required), and maximum stories (3.5 stories where 2.5 stories is the maximum). (BOA 23-14)

Meegan O'Neal: I am the executive director for Essex County Habitat for Humanity and we are super excited about this project. So this project would bring two units of affordable home ownership in the Mount Washington neighborhood. We would be proposing to build a duplex, that would be deed restricted, permanently affordable home ownership for two families earning 60% of our medium income, which means two families earning about 50 to 80k a year and those units would be permanently restricted, so when those homes are sold, they would always be sold to families in that income range. I am going to let Ken our engineer talk the specifics of our application, but I wanted to give you a quick overview and thank the city for their support so far in this project, because it has been great to work with the department heads, and the support has been fantastic.

Ken Stauffer (101 Walnut Street in Watertown MA): I am a site civil engineer for the project and being said we are looking to develop a two-family residential structure on this parcel. This is actually two parcels that have been consolidated, the parcels were probably originally created back in the early 1900's, long before zoning and there is some of the issues with dimensions that don't meet the current requirements. The duplex will be situated in the in the north west corner of the property, the site has significant topographic relief across it, from the property to the property line to the middle of the site is about a 20 foot grade change, over about 40 feet, so it is fairly significant, another 20 feet, so there is a number of challenges with topography and trying to develop the, working with the existing street grades, that made the most logical point for us. This property was also I believe in 2020 received a variance for a duplex that would have been in this location, the variance they received was for frontage and that is one of the variances we are pursuing tonight. So we are looking at 4 variances, one is frontage, one is lot depth, also a variance for a rear setback and a variance for the number of stories where 2.5 is allowed and we are looking for 3.5 and part of that is working with the fire department, through the preplanning process, they had requested that we provide garage spaces, Habitat Humanity doesn't typically provide garage spaces but they asked for those garage spaces to minimize parking in front of the building, so if they do have to respond to a fire at the house, they don't want to be working through cars in the way, so in order to do that we had to raise up a story, hence the variance request. The frontage, again this property was the subject of a variance from back in 2020, where they allowed reduction in frontage and because Curtis Street is so steep, they had to construct a retaining



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wall, so under that approval there was a retaining wall constructed and that was about 40 feet, allowed for 40 feet of frontage, that wall is existing, we would like to reuse it, we don't want to have to push Curtis Street out, so we are looking for a relief on that frontage. The lot depth as we said is an existing condition, this was actually two parcels, so you take the average between the side property lines, that has to be 100 feet and we are 89, so we need relief for that, again that is an existing condition from these lots from the 1900's. Again we said we wanted to push this building up in that corner, as part of the previous approval there was a fire department turnaround that was constructed or approved as part of the, so it is a 24 by 25 foot fire truck turnaround at the end of Curtis Street, which if a truck is responding down Curtis Street it allows for them to hammerhead turn into the site and pull out, we can't use that for any portion of the site, we can't park on it, it has to remain open, so in order to get parking in front of the building, we moved the garage under, we had to push the building back and hence it is pushing it back into that rear setback, so where 30 feet is required we are looking for about 15,5 feet. Again the last one was the number of stories, this was the request to provide parking, garage parking in the building to minimize and potential response times for an incident at the property, so Habitat has agreed to provide the garage even though it is not their typical, that makes it recede the number of required stories, those are the variances, we will be happy to answer any questions.

Chairman: Thank you and thank you for including the information about the fire department, the two parts about the parking underneath and the turnaround, that helps give us a sense of where you have to locate things. Any comments or questions?

Member LaPlume: I believe they came before us before for the fire department turnaround, so when you went to developmental review, did you go to that?

Ken: We met with all the different departments, fire department was there.

Member LaPlume: So you need that there

Ken: We have been to the site a number of times, we agree it is tight and we want to create a safe development

Member LaPlume: If we grant this commissioner, they still have to come back to developmental review right?

Tom B: Absolutely, they just did a preliminary project review, which is a PPR. Everything that gets approved here goes to developmental review.

Member LaPlume: That is it, thank you.

Chairman: Other comments or questions from the board?

Member Brown: I just want to say that I am really glad to hear that you are building something that certain folks can afford, thanks for all you do.



Haverhill

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Chairman” Other comments or questions? Entertain a motion.

Member LaPlume: I make a motion to accept the application for 0 Curtis Street, 2nd by Member Brown.

Member LaPlume: Yes it has a hardship the unique condition is existing, topography the land area for a variance , it meets the criteria for variance 255-10.2.2(2)

Member Brown: Yes it meets the criteria for variance 255-10.2.2(2)

Member Infante: Yes

Member Bevilacqua: Yes it meets the criteria for 255-10.2.2(2)

Chairman: Yes it meets the criteria for 255-10.2.2(2) and also echoing member LaPlumes comment on topography and the grade changes that occur there and as I mentioned before that you are responding positively to the recommendations from the fire department about the turnaround and also the parking situation.

Chairman: Entertain a motion to accept the April meeting minutes

Member LaPLume: I make a motion to accept the April meetings minutes, 2nd by Member Brown

Member LaPLume: Yes

Member Brown: Yes

Member Infante: Yes

Member Bevilacqua: Yes

Chairman: Yes